

THE MADRAS LEGISLATIVE COUNCIL

Monday, the 30th January 1961.

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Appointments of Supreme Court Judges

* 37 Q.—DR. A. SREENIVASAN: Will the Hon. the Chief Minister be pleased to state—

(a) whether the attention of the Government has been drawn to the statement said to have been made by Sri E. V. Ramaswamy Naicker, in the course of his speech at his birthday meeting at Tiruchirappalli reported in the 'Swadesamithran', dated 20th September 1960, in which he is alleged to have stated that he is approached for recommendation for appointments inclusive of Supreme Court Judges; and

(b) if so, the action taken by the Government in the matter?

THE HON. SRI R. VENKATARAMAN: (on behalf of the hon. the Chief Minister): (a) The Government have seen the newspaper report.

(b) No action was considered necessary.

DR. A. SREENIVASAN: Is such inactivity on the part of the Government due to the fact that the gentleman is doing propaganda in favour of the party in power?

THE HON. SRI R. VENKATARAMAN: Sir, this is an insinuation and not an interpellation.

DR. A. SREENIVASAN: Sir, is this propaganda now carried on by him gratuitous, spontaneous and voluntary?

THE HON. SRI R. VENKATARAMAN: It does not arise out of the main question, Sir. The hon. Member seems to have much ire against the Government.

VIDWAN T. MUTHUKANNAPPAN: தனிப்பட்ட மனிதர்கள், தங்களிடம் பல பேர் பல சலுகைகளுக்காக வருவதாகக் கூறிக் கொள்ளும் உரிமையில் அரசாங்கம் தலையிட விரும்புகிறதா?

THE HON. SRI R. VENKATARAMAN: எத்தனையோ பேர் என்னவெல்லாமோ சொல்லிக்கொண்டு போகிறார்கள். சில பேர் “மந்திரிகளை நான்தான் நியமித்தேன்” என்று சொல்லிக் கொள்கிறார்கள். இன்னும் சில பேர், “கவர்வரை நான்தான் நியமித்தேன்” என்று சொல்லிக்கொள்கிறார்கள். பிரதம மந்திரியைக் கூட நான் நியமித்ததாகச் சிலர் சொல்லிக் கொள்வதை நான் கேள்விப்பட்டிருக்கிறேன். இதிலெல்லாம் அரசாங்கம் தலையிடவேண்டுமானால், அரசாங்கம் வேறு நிர்வாக வேலை செய்ய முடியாது.

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SRI MOHAMED RAZA KHAN: May I know when the Hon. the Leader of the House replies to questions on behalf of the Hon. the Chief Minister, he himself replies to the question or after consulting the Chief Minister?

THE HON. SRI R. VENKATARAMAN: Sir, this is an internal matter in which the hon. Member is not entitled to any information.

SRI MOHAMED RAZA KHAN: It is the privilege of this House. The question is addressed to the Hon. the Chief Minister and the Hon. the Leader of the House is replying on his behalf.

MR. CHAIRMAN: When a reply is given on behalf of some other Minister he is supposed to have consulted the Hon. Minister concerned.

SRI MOHAMED RAZA KHAN: That the Hon. the Leader of the House can say, Sir, that he consulted the Hon. the Chief Minister.

State Transport Buses

* 38 Q.—**SRI S. K. SAMBANDHAN:** Will the Hon. the Minister for Industries be pleased to state—

(a) whether any representation has been received to run State Transport buses from Madras to Thirumazhisai; and

(b) if so, the action taken or proposed to be taken thereon?

THE HON. SRI R. VENKATARAMAN: (a) Yes, Sir.

(b) The Madras State Transport Department is now operating one service on the route Madras to Thirupathi (via) Thirumazhisai. The Government as a policy have decided not to operate new short distance routes and hence it is not proposed to open a new route from Madras to Thirumazhisai.

SRI S. K. SAMBANDHAN: From the reply given by the Government, can it be taken that no route of shorter distance has been opened after that recommendation?

THE HON. SRI R. VENKATARAMAN: No; there are two things. The State Transport does not open any short routes. The private operators are certainly allowed to open routes wherever there is a demand.

SRI T. P. SRINIVASAVARADAN: May I know the definition of a short route?

THE HON. SRI R. VENKATARAMAN: Tentatively we have decided that the State Transport will run buses on routes of over 120 miles only.

S.S.L.C. Public Examination

* 39 Q.—**SRI T. P. SRINIVASAVARADAN:** Will the Hon. the Minister for Finance be pleased to state—

(a) the number of candidates examined for the S.S.L.C. Public Examinations held in March 1959 and in March 1960; and

(b) the number declared eligible for University Course in each of the above years?

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THE HON. SRI C. SUBRAMANIAM: (a) 54,828 in March 1959 and 56,555 in March 1960. Of these, 53,351 in March 1959 and 54,791 in March 1960, took subjects qualifying for entrance to the University.

(b) 23,941 and 27,466 in March 1959 and March 1960 respectively.

SRI T. P. SRINIVASAVARADAN: May I know why there are so many failures and did the Board of Secondary Education go into the causes of the failures and send a report to the Government?

THE HON. SRI C. SUBRAMANIAM: No, I have not received any report, Sir.

* 40 Q.—**SRI T. P. SRINIVASAVARADAN:** Will the Hon. the Minister for Finance be pleased to state—

(a) the amount realised by way of examination fees from the candidates examined for the S.S.L.C. Public Examination held in March, 1959; and

(b) the amount paid by way of remuneration to paper setters, additional examiners and assistant examiners?

THE HON. SRI C. SUBRAMANIAM: (a) Rs. 8,34,060.

(b) A sum of Rs. 4,63,435 has been paid by way of remuneration in connexion with the Examination held in March 1959.

SRI T. P. SRINIVASAVARADAN: Will the Government use a portion of the profit as it were to study problems connected with these large failures in the examinations?

THE HON. SRI C. SUBRAMANIAM: No particular amount is used for any particular purpose. It all comes from the general consolidated fund. As far as particular schemes are concerned, if there are any schemes of merit, they can always be looked into.

SRI S. NATARAJAN : Is there any scheme to investigate the causes of the large number of failures in the examinations?

THE HON. SRI C. SUBRAMANIAM: Generally we find there is a greater number of failures because they do not secure the necessary marks in the English subject. As a matter of fact, the majority of the failures is due to that. Therefore, it requires a better teaching of English in schools at various stages and as the hon. Members are aware we are taking steps to improve the teaching methods in English.

SRI T. P. SRINIVASAVARADAN: Were any representations received by the Government to revise the remuneration given to the examiners and those who value the answer sheets and cannot this surplus be used for grant of scholarships and so on?

THE HON. SRI C. SUBRAMANIAM: There is no question of any particular fund being in surplus for any particular object. As I have already explained if there are any other projects which have to be implemented they will be got implemented and the money required made available from the consolidated fund. Therefore

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that question does not arise. Regarding remuneration for the examiners, at present there is no proposed to raise their remuneration.

SRI S. K. SAMBANDHAN: Is it correct to say that the failure during this year is only in social studies rather than in other subjects?

THE HON. SRI C. SUBRAMANIAM: In the year 1959 the failure is generally attributed to the change in the pattern of questions set for the examinations. At that time the one answer questions were changed to essay pattern questions. The students are now getting accustomed to this type of questions. In March 1960 the results were better.

SRI MOHAMED RAZA KHAN: Apart from the fact that the failures were greater in English or other subjects, I would like to know whether there is any organization to go into the whole question and suggest methods for the improvement of the standard in schools?

THE HON. SRI C. SUBRAMANIAM: That is always kept in mind. It is not only at the school level. It is done even at the college level. There is a good deal of failures at the school as well as the college level and this is wastage of national resources and also the energy of the young pupils. Therefore this will have always to be kept in mind and better methods of teaching will have to be adopted for the purpose of improving the standards. A mere attempt at improvement of matter at the highest level alone may not yield results. Perhaps steps will have to be taken from the very beginning stages, from the elementary school stage onwards.

SRI T. P. SRINIVASAVARADHAN: Till five or six years ago were the Chief Examiners asked to send reports embodying the defects noticed by them in particular subjects and were they circulated to all concerned and if so, why such a practice has been stopped now?

THE HON. SRI C. SUBRAMANIAM: I would like to have a separate question for that. I do not have that information now with me.

SRI S. NATARAJAN: Have the Government received any recommendation from the Government of India about the setting up of a bureau of evaluation or examination research in every Board of Secondary Education and if so what action have the Government taken on that?

THE HON. SRI C. SUBRAMANIAM: I do not have the information with me now. If a separate question is put I will answer it, Sir.

Madras Act of 1958

* 41 Q.—**DR. A. SREENIVASAN:** Will the Hon. the Minister for Home be pleased to state the number of animals certified for slaughter in the City of Madras from January to March 1960 under the provisions of Madras Act of 1958?

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THE HON. SRI M. BHAKTAVATSALAM: A statement* is placed on the table of the House.

DR. A. SREENIVASAN: From the statement placed on the table of the House it is evident that more than 1½ lakhs of animals were slaughtered within the past three months. Were these animals certified by the competent Veterinary surgeons as being unfit for domestic purposes?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir. The report says: 'The slaughter houses in the Madras City are under the control of the Health Officer, Corporation of Madras. The provisions of the Madras Animal Preservation Act are enforced in all slaughter houses which are duly inspected by the Animal Husbandry Department staff. In the case of buffalo, sheep, goats and pigs no young or pregnant animals are allowed for slaughter in the Corporation slaughter houses'.

SRI MOHAMED RAZA KHAN: Is the Hon. Minister aware of the fact that because of the low number of animals that get into these slaughter-house the price of meat has gone up abnormally in the City of Madras? (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM: I am afraid I cannot help in the matter. Under the legislation passed by both the Houses, useful animals are not permitted to be slaughtered.

Artesian and exploratory tubewells

* 42 Q.—**SRI A. GAJAPATHY NAYAGAR:** Will the Hon. the Minister for Home be pleased to state—

(a) the number of artesian and exploratory tubewells proposed to be sunk in South Arcot during the year 1960 and the cost thereof;

(b) the number of such wells so far sunk and the extent of land irrigated by them;

(c) whether it is a fact that the exploratory tubewells in South Arcot are run by motors and if so, the water rate for an acre of land; and

(d) whether there is any proposal before the Government to give benefits of electricity to Meitukuppam in Vridhachalam taluk for running tubewells and if so, when?

THE HON. SRI M. BHAKTAVATSALAM: (a) Fifty-four artesian wells are proposed to be sunk in South Arcot district during 1960-61 at a cost of Rs. 8,10,000. The number of exploratory tubewells that will be sunk under the second project of the exploratory tubewells organization of the Government of India in this State has not yet been fixed.

(b) Twenty-three wells have been sunk up to 30th October 1960 and about 3,015 acres will be irrigated. Out of 12 wells sunk by the Exploratory Tubewells Organisation under their first project, two artesian wells have ceased to function, and two other wells are intended for drinking water purposes. At present, three sub-artesian

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wells and one artesian well are functioning and the area irrigated by these works is 376.69 acres. The remaining wells are expected to function shortly.

(c) No, Sir. They are run by oil engines only. A provisional water rate of Rs. 45 per acre has been fixed pending fixation of final rate based on the cost data for individual wells, which are still awaited from the Government of India.

(d) No, Sir.

SRI S. K. SAMBANDHAN: Sir, under what conditions the tube well at Parvatipuram near Vadalur was sunk?

THE HON. SRI M. BHAKTAVATSALAM: Sir, I do not have particulars with me about the particular tubewell scheme.

Hindi Pandits

* 43 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representations from the Hindi Pandits appointed prior to 1st January, 1948 in the service of the Thanjavur District Board about the reduction in their emoluments and the recoveries effected; and

(b) if so, the action taken or proposed to be taken thereon?

THE HON. SRI C. SUBRAMANIAM: (a) Yes, Sir. A representation was received from one Hindi Pandit.

(b) The proceedings of the Special Officer ordering the recovery were cancelled.

SRI G. KRISHNAMOORTHY: Thank you, Sir.

Postal forms

* 44 Q.—VIDWAN T. MUTHUKANNAPPAN: Will the Hon. the Minister for Finance be pleased to state whether this Government have made any representation to the Government of India that postal forms for use in the State may be printed both in English and Tamil?

THE HON. SRI C. SUBRAMANIAM: The Central Government have decided to bring out some of the important postal forms, such as inland money order forms, Registration acknowledgment forms, etc. in the regional language besides printing them in English.

VIDWAN T. MUTHUKANNAPPAN: இந்தக் கோரிக்கை பல நாட்களாக இருந்து வருகிறது. இதனைத் துரிதப்படுத்த அரசாங்கம் நடவடிக்கை எடுக்குமா?

THE HON. SRI C. SUBRAMANIAM: இது மத்திய அரசாங்கம் செய்ய வேண்டியது. இதைச் சீக்கிரமாகச் செய்யும்படி கேட்டுக் கொள்கிறோம்.

SRI K. BALASUBRAMANYA AYYAR: Are the forms in Hindi abolished, Sir?

THE HON. SRI C. SUBRAMANIAM: They are not abolished. As far as we are concerned, we would be supplied with new money order forms either in English or in the regional language when they are printed.

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THE HON. SRI M. A. MANICKAVELU: There were no important records. For that matter there were no records at all I should think, because the object for which the jeep went was a different one. There were no records.

Village Officers

* 46 Q.—VIDWAN T. MUTHUKANNAPPAN: Will the Hon. the Minister for Revenue be pleased to state with reference to the answer given to Legislative Council Question No. 158 on 23rd March 1959, the stage at which the question of abolition of hereditary system of village officers now stands?

THE HON. SRI M. A. MANICKAVELU: The Government have dropped the proposals for the present.

VIDWAN T. MUTHUKANNAPPAN: சுதந்திர நாட்டுக்கு இத்தகைய பரம்பரை முறை நேர் முறையானதாகையால், இதை ரத்து செய்ய அரசாங்கம் யோசிக்குமா?

THE HON. SRI M. A. MANICKAVELU: தற்காலிகமாக அந்தப் பிரச்சனை ஒத்திவைக்கப்பட்டிருக்கிறதென்று சொன்னேன். அதற்கு முக்கியமான காரணம், பஞ்சாயத்துக்களுக்கு நிறைய அதிகாரம் கொடுத்து, அவை புது முறையில் வேலை செய்வதால், அவர்களுக்குப் பொறுப்பு அதிகமாயிருப்பது. அவர்களுடைய சம்பளம்கூட இப்பொழுது அதிகப்படுத்தப்பட்டிருக்கிறது. எல்லா குழப்பத்தையும் ஒரே சமயத்தில் எடுத்துக்கொள்ள முடியாது. கொஞ்சங்கொஞ்சமாகத்தான் எடுத்துக்கொள்ள வேண்டும்.

MR. CHAIRMAN: Questions are over.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ANNOUNCEMENTS.

(1) MESSAGE FROM THE GOVERNOR.

MR. CHAIRMAN: I have to announce to the House that I have received a message from the Governor of Madras recommending to the Madras Legislative Council the consideration of the Madras Appropriation Bill, 1961.

(2) MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN: I have also to announce to the House that I have received a message, dated 30th January 1961 from the Hon. Speaker, Madras Legislative Assembly, transmitting a copy of the Madras Appropriation Bill, 1961 (L.A. Bill No. 6 of 1961), as passed by the Legislative Assembly on the 30th January, 1961, and signed by him for the recommendations of the Council and certified that this is a Money Bill within the meaning of Article 199 of the Constitution of India.

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III.—GOVERNMENT BILL.

THE MADRAS APPROPRIATION BILL, 1961 (L.A. BILL NO. 6 OF 1961).

THE HON. SRI C. SUBRAMANIAM: Sir, I move—

‘That the Madras Appropriation Bill^a, 1961 (L.A. Bill No. 6 of 1961), as passed by the Legislative Assembly, be taken into consideration.

MR. CHAIRMAN: The question is—

‘That the Madras Appropriation Bill^a, 1961 (L.A. Bill No. 6 of 1961), as passed by the Legislative Assembly, be taken into consideration.’

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

The Schedule was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. SUBRAMANIAM: Sir, I move—

‘That the Madras Appropriation Bill, 1961 (L.A. Bill No. 6 of 1961), as passed by the Legislative Assembly, be passed’.

MR. CHAIRMAN: The question is—

‘That the Madras Appropriation Bill, 1961 (L.A. Bill No. 6 of 1961), as passed by the Legislative Assembly, be passed’.

The motion was put and carried and the Bill was passed.

IV.—NON-OFFICIAL BUSINESS.

A. BILLS.

(1) THE MADRAS TEACHER PROTECTION BILL, 1960 (L.C. BILL NO. 1 OF 1960).

SRI G. KRISHNAMOORTHY: Sir, I move—

‘That the Madras Teacher Protection Bill^{*}, 1960 (L.C. Bill No. 1 of 1960), be taken into consideration.’

SRI MOHAMED RAZA KHAN: I second the motion, Sir.

MR. CHAIRMAN: Motion moved—

‘That the Madras Teacher Protection Bill^{*}, 1960 (L.C. Bill No. 1 of 1960), be taken into consideration.’

MR. CHAIRMAN: There is an amendment given notice of by Sri Natarajan. He can move it and get it seconded. We can then take both the motion and the amendment for discussion.

^a Printed as Appendix II on pages 234-236 *infra*.

^{*}Published in Part IV—Section 3 of the Fort St. George Gazette, dated 31st August 1960.

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SRI S. NATARAJAN: Sir, I move the amendment standing in my name, namely—

‘That the Madras Teacher Protection Bill, 1960 (L.C. Bill No. 1 of 1960) be referred to a select committee consisting of the following members’.

I shall give the names of the Members later.

VIDWAN T. MUTHUKANNAPPAN: I second the amendment, Sir.

* **SRI G. KRISHNAMOORTHY:** Sir, this is a very simple Bill. It costs the Government nothing. It does not touch on the financial side. But at the same time it is to benefit some 51,484 teachers and their families. We have got 113,000 teachers in our state of whom more than 45 per cent are in institutions called aided institutions. Hon. Members are aware that the institutions in this State are broadly divided into public institutions and private institutions. Public institutions are those that are run by the Government, district boards, municipalities and panchayats. The other institutions are called private or aided institutions. These aided institutions are run by private managements. Fifty-one thousand four hundred and eighty-four teachers are working in these aided institutions. These teachers in the aided institutions would derive a lot of benefit by this measure which is just now before this House. Now the benefits will go a long way in just providing continuity of education and also in improving efficiency in education. As already submitted by me, it costs the Government nothing, but it goes a long way in ensuring continuity in education and also in providing efficiency in education. Hon. Members are aware that the teacher's job is quite different from various other jobs. The teacher has to just touch the hearts of the pupils before him and for that work he has to have peace of mind. Peace of mind is impossible if he is not secure in service. So such a great benefit that is to be conferred by one stroke of pen without any cost to the Government is aimed at through this measure.

Now, Sir, I just want to inform hon. Members that this is not a new measure at all. This is a measure to just extend the benefits that are already being enjoyed by the other 55 per cent of the members of the teaching profession in this State. It does not aim at any new benefit in respect of the teachers in general. It aims at the extension of the benefit that is already being enjoyed by 55 per cent of the teachers in this state to the other 45 per cent who are called ‘teachers in aided institutions’. The present position of these 51,484 teachers is this. These teachers can be sent away from service any part of the year. They can be sent out of service at any stage of their service. They can be sent out of service when they draw practically the maximum salary, i.e., in their 52nd or 53rd year. Nobody is exception to it in an aided institution, from the elementary school teacher upwards to the aided college principal. Aided colleges draw from 90 per cent of the colleges in our State. When the teachers draw perhaps the highest salary just two or three years before their retirement they are sent out for no fault of theirs. Should such a state of affairs continue in our State after thirteen years of Swaraj? Our Government have been taking up many plans to improve the educational standards of our boys. I have also to admit that they are undertaking several measures to ameliorate the condition of the teachers. But the greatest amelioration that is needed by teachers in security of service. Anybody

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can draw any salary, even a fat salary, but if he does not have security of service, that salary does not have any meaning. In the case of teachers, they are drawing a meagre salary and even this is not assured when they do not have security of service. Teachers in District Boards and Government institutions have security of service. They cannot be sent away easily. People do commit mistakes. This measure does not want exemption for those who commit mistakes in aided institutions. It does concede that teachers may make mistakes and may have to be punished also. But we want the same procedure that applies to Government teachers and those in local body institutions to be applied to teachers in aided institutions also. Let them be suspended, when they commit mistakes and let them be paid subsistence allowance as in the case of Government servants. Let there be an enquiry; let there be a tribunal for disciplinary proceedings. If the teacher is found fault with, let him be dismissed. Even then, I know, not one in thousand would be sent home. We want the same rules that govern Government school and local body school teachers to govern the service conditions of the aided school teachers also. 'Extension' is the principle of this Bill. Now what happens is this. There is what is called an agreement to govern the service of these teachers. We have not heard of any agreement or any contract in any other department of Government than the Engineering Department. But, wonderfully enough, in the Education Department, we have what is called 'contract' between the teachers and the managements. It may be argued: 'Why should the teacher enter into a contract? Once he enters into a contract, is he not bound by it?'. My point is, why should the Government make this contract applicable to the teacher? But for the contract, there is no way for a teacher to get into an aided school. So, why not the Government straightway give him security of service? Does this measure entail any expenditure on the part of the Government? None. Our point is, once they give security of service to the Government and local body teachers, they should extend the rule to teachers in aided institutions also. These are days of parity. The Pay Commission has recommended parity in salaries. It has put it very clearly that there should be no difference in the scales of pay of teachers of the same qualifications whatever the agencies they might be serving under. Security of service is more important than salary. So, we want parity of service conditions to be observed in respect of aided institution teachers also. Now, Sir, this agreement I have referred to is prescribed in Appendix 28 of the Madras Educational Rules. It says that a teacher can be sent out at any stage of service with three months' notice for certain reasons and without three months' notice for certain other reasons. If it is a question of gross insubordination or misbehaviour, he can be sent out without three months' notice. The agreement that is in force is unilateral and not bilateral even though it can be called bilateral in the sense that the teacher is at liberty to leave the institution with three months' notice to the management. But will a teacher leave the school? There is unemployment. He has chosen that profession. The nature of the job is such that once he becomes a teacher, he continues for a number of years as teacher. He does not want to leave the job. There is something in the profession which attracts him. He is dealing with not inanimate objects like files but with living souls, animate things, the future generations and a miniature society. But he can be sent out because of this loophole in the rule this contract provision under

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Appendix 28. The elementary school teacher is no better on account of the fact that the Management has to get the permission of the Deputy Inspector or his approval before terminating the service of the teacher. All that we want is that the teacher should be assured of security of service. The teacher when he reaches his 52nd or 53rd year is suddenly sent out. What happens? He has no job. He has to seek a job somewhere else. What happens to his family meanwhile? Till he gets another job, he and his family have to starve. Then he accepts a job on a lower salary than what he was getting. There is no rule that says that he must be paid the salary that is entered last in his Service Register, that has recently come into force. The entry in the Service Register should be honoured on re-employment of the teacher; but there is no rule to the effect that a teacher should not be employed on a salary less than what he was already drawing as per the entries in the Service Register. The result is that a teacher has to come down to the minimum. There is a game called 'Sorga Padam' in Tamil. In that game, when the bead comes near the snake, it has to come down to the tail of the snake and start all over again. Such is the position of the aided school teacher. There are not just one or two but 51,484 teachers like that and their families suffer once they are sent out of service. The management has just to find out a reason and that is all. It can send the teacher out. Gross insubordination, neglect of duty or some such thing comes in handy for the management, if it really wants to send a teacher away. Coming to school late is one of the charges commonly mentioned. Even an ordinary tone in reply can be taken to be insubordination. There is also another reason given for which a teacher can be sent away and that is 'any other good cause'. The cause may be good for the management but very, very bad for the teacher and his family. Why should Government delay application of their rules to the aided institution teachers also when it does not entail an expenditure of even one naya Paise from the coffers of the State? We know, Sir, what the Government will say. They will point out that there are some safeguards already for the teacher not only in the form of agreement but in the shape of rules passed by them now and then, e.g., that teachers cannot be sent out even if they become superannuated in the middle of a term and so on. Our point is simple. Why not put them on a par with the District Board and the Government teachers? One may ask: 'Should not the management which is the paymaster have some voice?'. I say, let them have, by all means, full powers of choice, selection and appointment of teachers. But let them not have any voice in the matter of terminating the services of the teacher. Let it be in accordance with the procedure followed in respect of the local body and Government teachers. It is said that once this is done, insubordination will crop up in aided schools and that school work will not go on. Now I put this question. Does this crop up in other schools and institutions under local bodies and the Government? If it does, if a teacher does not do his work properly, the head of the institution is there to report the matter to higher authorities. There is no institution without a head. The headmaster is at liberty to report to the management which can take action within the framework of the procedure that is laid down. Now what happens is this. There is some provision saying that the written statement of the teacher should be got if he really wants to submit a statement, that the management should look into it and give an opportunity to the teacher to explain himself. But we know fully well how these things are done especially

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in respect of the elementary school teachers. The months of February and March are the months of harvest. Hundreds of teachers are sent away to their homes every year. So much of insecurity prevails and therefore it is not just on the part of the Government to delay by even a day the provision of this security which is the aim of this Bill. In the case of middle and high schools I know of instances where the teachers have been sent away in the middle of the year. If a teacher is sent out like that can he get a job in the middle of the year? He will have to starve. Not only he starves but the members of his family have also to starve. If at all, he gets a job on a lower salary. Such is the security of tenure of teachers. Therefore, I would suggest to the Government to accept this measure. This is only an extension of a measure that already exists for the protection of 55 per cent of the teachers in the State and that is overdue in view of the principle of parity that has come to be recognized by the Government in respect of teachers irrespective of the agency under which they may be serving.

Sir, I wish to conclude with a fervent appeal to the hon. Members to view this measure as a non-party measure and a measure intended for the security of the teachers who are moulding the future citizens and equipping them with the necessary talents to bear the burden of freedom.

I thank you, Mr. Chairman, for giving me this opportunity.

* SRI S. NATARAJAN: Mr. Chairman. Sir, the hon. Member Sri G. Krishnamoorthy has given a very descriptive account of the unsatisfactory nature of the service conditions of teachers. I would like on this occasion to express by thanks to the Government for the many measures they have taken in the past in order to provide a reasonable measure of security of tenure for the teachers. In fact the question of contract was introduced only some years ago. It was later revised. It was made difficult for the aided managements to terminate the services of teachers without proper enquiry and for insufficient reasons. Government have also issued further directives to the District Educational Officers to examine the contract during their inspections and satisfy themselves that the provisions of the contract are properly observed. An appeal has also been provided and in many cases the cases of teachers are fully gone into by the Department and justice is being done. But the fact remains that the number of appeals from the teachers and in some cases from the managements in regard to breach of contract is increasing. In fact during the last four or five years the number has increased to such a large extent that perhaps officers have very little time to attend to their usual work as most of their time is spent on enquiries into the alleged breaches of contract. Therefore the matter requires careful consideration.

Sir, I do admit that the Bill as it is does not put very clearly what is exactly needed, except the principle that teachers should be guaranteed security of tenure and should not be liable to arbitrary dismissals or termination of services. I am sure the Government will accept the principle because all actions of the Government during the last 15 or 20 years have been directed towards ensuring to the teacher a fair measure of security of tenure. Also there is a keen interest and a desire on the part of the Government to see that the teachers work under condition in which they can give of their

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best. The revision of the salary scales and the provision of certain amenities are all indicative of the Government's anxiety to do their best for the teachers. I am equally sure that the Government must be deeply concerned about the various alleged breaches of contract resulting in termination of the services of the teachers. One point to which the hon. Minister Sri G. Krishnamoorthy also made reference in this termination of services of the teachers in the middle of the term. This puts the teacher under considerable hardship and even though Government have issued instructions that the new employer may appoint him on the same salary taking into account his previous experience, the managements are unwilling to give such teachers a high start and they only appoint them on a lower salary. This causes considerable hardship to the teacher. It is to protect the teacher from such treatment and ensure to the teacher a fair measure of security that this Bill is sought to be introduced. In order that the Bill may be put in proper shape and the principle referred to by the hon. Member may be given effect I move that this Bill be referred to a Select Committee. The Bill need not be rejected on the score that it has not been properly drafted. The principle contained in it is something vital to the cause of education and I therefore appeal to hon. Members to support my amendment to refer the Bill to a Select Committee which can put the Bill in proper shape. I am sure the Government will accept this and ensure to the teachers that measure of security of tenure which they are keen that the teacher should have. Therefore I move—

"That the Madras Teacher Protection Bill, 1960 (L.C. Bill No. 1 of 1960), be referred to a Select Committee consisting of the following members:—

1. The Hon. Sri C. Subramaniam.
2. Sri G. Krishnamoorthy.
3. Sri T. P. Srinivasavaradan.
4. Vidwan T. Muthukannappan.
5. Sri S. Natarajan."

SRI K. BALASUBRAMANYA AYYAR: Sir, in whatever role I speak, I will be understood to speak for the managements because I am connected with the managements of schools. I am one of those who believe that there should be security for the teachers. In one of the schools with which I am connected most of the teachers have served for forty or forty-five years. The Headmaster of that school retired recently after serving the school for 40 or 45 years. Therefore I think I have proved my conduct by being in a management which has given security of tenure to teachers.

Sir, the question is not only giving security of tenure to teachers. This is a Bill. A Bill has to be looked at from many points of view. While we are fully in sympathy with the objects of this Bill, the implementation of the objects of the Bill, as it is drafted will give rise to many difficulties. For instance we cannot put aided institutions on a par with Government institutions. The teachers are the employees of the aided institutions and therefore they should be governed by some contracts. Contracts cannot be abolished altogether. Therefore so far as the legal portion of it is concerned this is an independent body and the relations of its employees have to be regulated by contracts. In this respect the Government are in a better position.

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And the Government servants are also in a better position. They have Fundamental rules and the other rules. If we think that contracts could be abolished by this Bill, I am afraid that is a position which I cannot support. There should be contracts. But the question is how far they should protect the teachers and safeguard their rights. Undoubtedly I am for regulation of these things but you cannot abolish contracts entirely. Government will have sufficient funds for their institutions. But the aided institutions will have to depend on so many things for running the schools. Even a small faction in the management may put an end to the school itself. These are matters about which nobody can be sure. So far as the employees of the managements are concerned, it should be regulated by contracts between parties. Regarding provision of giving notice in case of termination of services of teachers, the teacher can give three months' notice and leave the service and the management will give the same notice and terminate the services of the teacher. But in this regard the teachers are under a greater disability than the managements. When the teachers are sent out they may suffer for want of another employment. But it is not the case with the management. These are matters which can be considered.

Another difficulty I have is the enforcement of rules. Clause 2 of the Bill says: '—under the rules in force in respect of teachers in Government institutions'. This is vague. We do not know what the rules are that are to be taken over and applied to teachers in the management schools. Again the rules framed by Government might be changed from time to time. When the rules are changed by the Government, these rules have also to be changed. If you want to enact a Law you must have a self-contained Act. You cannot say 'rules in force in respect of teachers in the Government institutions'. This is vague, uncertain and changing. Therefore legally it is not proper to put it like that in a statute. Sir, I may also state this. Many teachers have taken advantage of the three months' notice. From my own experience I can say that institutions have also found it difficult to make suitable arrangements when teachers went out in the middle of a term. We are not sorry on that account. The teachers may have better prospects elsewhere and therefore they go. It is a matter purely of economic and other considerations. This has to be carefully gone into. I understand that the Government also are thinking about the protection to be given to the teachers. While we appreciate the object of the Bill and the need for giving security of service to the teachers, this Bill will not completely satisfy their requirements and also will not effectively implement what it seeks to. This is my point. What the Mover of the Bill wants to implement has to be implemented in an active manner. I should think that we can leave it to the Government, because they know the objective position. They know their institutions. They are dealing with elementary and secondary schools. They are also giving grants. Therefore, they are vitally interested in the proper working of these institutions. I should think that it is best for all the teachers concerned and the managements to leave this matter to the State Government. This is a matter in which I think we should be guided more by the regulations of the State, than by any Bill that we may introduce partially. We must leave the matter in the hands of the Government. To say that whatever rules are in force in the

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case of the Government institutions should also be applicable to the aided institutions, will not fulfil all the requirements of teachers. The finances and resources of private institutions are all quite different. Even in the case of Government institutions, after 1955, this three months' notice is there. These are all matters to be taken into consideration. I think it would be well on our part to leave this particular matter in the hands of the Government and to see that they bring in a Bill to regulate the whole position with reference to teachers. It is better that we leave this matter with the Government. They are in a majority and they will pass the Bill that they bring forward, and we may hope that that Bill will be all right. Therefore, we may leave the matter to the Government instead of attempting to do it in a half-hearted way like this.

THE HON. SRI C. SUBRAMANIAM: Mr. Chairman, Sir, I am afraid I have to oppose this Bill not because I am not in sympathy with the objectives of the Bill. But I do not think, as was pointed out by Sri Balasubramanya Ayyar, that this Bill will provide for security of service to the teachers which Sri Krishnamoorthy wants. Sir, I may inform the House that this matter is engaging the attention of the Government and a Bill also is getting ready with reference to secondary education, in which the position of the teachers in aided secondary schools will be taken into consideration, and sufficient safeguards given in respect of the teachers. The same principle would apply to elementary school teachers also. Sir, in this matter what is needed more is goodwill between the managements and the teachers. If this is lost, then the quality of teaching and the standards of education are bound to deteriorate. Therefore, it should always be our effort to see that there is goodwill and understanding between the managements and the teachers, and we should do everything to promote that understanding between the two. I do realize that there are managements which do not play fair as far as the teachers are concerned. At the same time there are teachers also who sometimes misbehave, and perhaps bring discredit to the profession itself. Therefore, we have to take into consideration all these aspects, and we have to provide a law or we should provide rules so that both these aspects would be kept in mind and proper safeguards provided both for the good managements and good teachers. So, I would respectfully submit that the Bill, as it is drafted, whatever might be the changes that may be made by the select committee—after all the select committee cannot go beyond the scope of the Bill—cannot be accepted by any House and the implementation of this measure will lead to any amount of difficulties. Therefore, I would request the hon. Member to withdraw this Bill at this stage and leave it to the Government to bring forward a more comprehensive Bill dealing with the various aspects of the managements and the teachers. The Government and the Education Department have to play a large part in this matter. I can assure Sri Krishnamoorthy that if such a Bill is brought before this House, he will derive much greater satisfaction than he would if he pressed this Bill and got it through. Therefore, I would humbly submit that this is a case where he has brought to the notice of the House a certain matter about which the Government are already taking action. Perhaps he wants that to be hastened. If that is the intention, I can assure him that I shall do my best to see that the Bill is ready as quickly as possible and brought before this House. I am sure that at that time

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Sri Krishnamoorthy will have ample opportunities to put forward his points of view if he happens to disagree with any of the provisions of that Bill. I can assure him that any representation which he may make or any other member representing the teaching profession may make will get the fullest consideration at the hands of Government. That is all I have to say, Sir, on this.

* SRI G. KRISHNAMOORTHY: Sir, with reference to the suggestion of the hon. Member Sri S. Natarajan that it should be referred to a select committee, I have no objection. It may be referred to a select committee. With reference to the suggestion of the hon. the Deputy Leader of the Opposition, I would submit that this is something like a referential legislation, where we refer to some other rules or legislation. So I have just stated that all the rules applicable to Government servants should be applicable to teachers in aided institutions. Of course there may be 0.001 per cent of teachers who would have got the benefit of the three months' notice and left certain institutions with a view to just improving their prospects. There can be no objection to managements as they will have the power of appointing teachers and as by continuity of teachers in service, the tradition of the managements would improve. With regard to the Hon. Minister's statement, I quite fully agree, and I even mentioned in my speech at the outset that the Government had come to appreciate the difficulties of the teachers and were just doing something, though that might not be to the entire satisfaction of the teachers. I do know that the Secondary Education Act and the Elementary Education Act will have some provision in regard to the security of service of teachers. But so far as the first list of the recommendations is concerned, the teachers are not satisfied as there is only a clause saying that the recognition of an aided institution may be withdrawn if there is to be victimisation of teachers. Victimisation, as such, is a vague term. It cannot provide security for teachers. The Hon. Minister himself knows that the Government's orders to certain management to reinstate the teachers or to pay them arrears of salary, have not met with much success. The managements are just trying to evade. It is because there is not that legal hold that is necessary. Therefore some statute is necessary to have that legal hold on them. The Hon. Minister knows that even now some cases are pending in the Secretariate, and the families of the concerned teachers are starving. So, my request to the Hon. Minister for Education is that there should be a provision in the Statute Book regarding Elementary and Secondary Education to the effect that the security of service of teachers is guaranteed. The Hon. Minister's statement that teachers also may misbehave can be applied to any profession. There must be cases of misbehaviour even in respect of local board and Government teachers. The question is how they are dealt with. Similarly, teachers in aided institutions also can be dealt with. The managements can be given power of selection, choice and appointment of teachers, but not meddling with the service of teachers. I appreciate the Hon. Minister's statement that he would undertake certain measures whereby the teachers' interests would be safeguarded. If he is prepared to give an assurance that these teachers would be given security of service on a par with teachers in local board institutions and Government institutions, I will withdraw my Bill. Otherwise, there is no point

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because the provisions that are embodied in the present rules give some sort of a room for teachers to be sent out. There should be provision for the misbehaving teacher to be suspended, paid subsistence allowance during suspension and proceeded against by a Tribunal for disciplinary proceedings. I concede teachers that commit mistakes ought to be punished but there must be a law common to all teachers. The managements must get used to some sort of a tradition that teachers will continue in service till retirement and if the Hon. Minister will give an assurance that aided school teachers will be treated on a par with other teachers, I will withdraw my Bill.

THE HON. SRI C. SUBRAMANIAM: I am afraid, the hon. Member is taking an impossible attitude, if I may say so. I do not want to prejudice the issue. Therefore, the hon. Member may leave it to the Government to consider the proposal. He has put forward his views and I agree that these teachers can be put on a par with Government teachers. But I cannot give an assurance that it will be positively done. The matter will be examined. I agree that security of service is very important for teachers and Government attach very great importance to this. Whether it should be done on the basis suggested by the hon. Member or on some other basis is a matter for consideration. Therefore, I would request the hon. Member not to insist on an assurance. It may be necessary to show some consideration to the private employers of teachers and, therefore, it cannot be purely on a par with Government servants or local body teachers. I may give this assurance that the Government attach very great importance to security of service and that they are anxious to ensure it, subject to certain conditions. Therefore, I do not think that the hon. Member is justified in insisting on an assurance from the Government that the provisions of this Bill would be automatically embodied in the Government Bill. I suppose he will be satisfied with this assurance. He can always take it that the interests of teachers are quite safe in the hands of the Government, much more safe than in the hands of the hon. Member.

MR. CHAIRMAN: Is Mr. Natarajan withdrawing his amendment?

SRI S. NATARAJAN: I am withdrawing my amendment in view of the assurance of the Hon. Minister.

The amendment was, by leave, withdrawn.

MR. CHAIRMAN: Is Mr. Krishnamoorthy pressing his motion?

SRI G. KRISHNAMOORTHY: In view of the assurance given by the Hon. Minister in his second statement I withdraw my Bill, especially because it was stated that the Government attached very great importance to the question of security of service and that they proposed to do something about it.

The motion was, by leave, withdrawn.

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(2) THE MADRAS DISTRICT DEVELOPMENT COUNCILS (AMENDMENT) BILL 1961.

SRI A. K. THANGAVEL MUDALIAR :

கனம் தலைவர் அவர்களே, 1961-ம் ஆண்டு சென்னை மாவட்ட வளர்ச்சி மன்றங்கள் திருத்த மசோதாவை அறிமுகம் செய்ய அனுமதி அளிக்க வேண்டுகிறேன்.

SRI S. K. SAMBANDHAN : I second the motion.

MR. CHAIRMAN : The question is—

“That leave be granted for the introduction of the Madras District Development Councils (Amendment) Bill, 1961”.

The motion was put and carried and leave was granted.

SRI A. K. THANGAVEL MUDALIAR :

கனம் தலைவர் அவர்களே, நான் இந்த மசோதாவை அறிமுகம் செய்கிறேன்.

MR. CHAIRMAN : The Bill is introduced.

B. RESOLUTIONS.

(1) LINGUISTIC MINORITIES.

SRI MOHAMED RAZA KHAN : Sir, I beg to move—

“This House recommends to the Government to constitute a Committee consisting of the representatives of the various linguistic minorities in the State of Madras to advise and to bring to the notice of the Government the various matters pertaining to the linguistic minorities concerning educational facilities and the representation in service.”

SRI G. KRISHNAMOORTHY : I second the resolution.

MR. CHAIRMAN : Resolution moved—

“This House recommends to the Government to constitute a Committee consisting of the representatives of the various linguistic minorities in the State of Madras to advise and to bring to the notice of the Government the various matter pertainin to the linguistic minorities concerning educational facilities and the representation in services.”

SRI MOHAMED RAZA KHAN : Mr. Chairman, consequent on the reorganization of States on a linguistic basis, one problem that was anticipated was the position of the various linguistic minorities in this State. Fortunately or unfortunately, there are a good number of minorities in this country based on religion and various other factors. In the year 1957 or earlier, this problem took an important turn particularly in the State of Madras. Madras, you are aware, Sir, was once noted for its cosmopolitan outlook. There are various minorities here and the President of India took certain very necessary steps to see that the interests of linguistic minorities were safeguarded. The Chairman is well aware of the appointment of a Commissioner for Linguistic Minorities with vast powers and jurisdiction. The problem could be visualized in two ways. One is the language employed in the conduct of trade and commerce in our State. The second disability comes in the matter of State language, i.e., the official language of the State and in the matter of representation in services. English was the official language of all States in India and also at the Central level until some time ago and there was no difficulty. Everybody had an equal chance of employment. But the moment the language of this Government

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was changed into Tamil, certain difficulties arose. We have not in the least any objection to Tamil being the State language. But the difficulty arises only in the case of persons whose mother-tongue is not Tamil, e.g., certain Mussalims in the State of Madras. They may be a small number of just 5 lakhs; but their mother-tongue is Urdu. The mother-tongue of the rest of the Muslims is Tamil and for them there is no difficulty. There is also the question of Andhras whose mother tongue is Telugu, or Malayalees whose mother-tongue is Malayalam and of Kannadigas whose mother-tongue is Kanarese. I do not want to say anything by way of compliments or encomiums but one thing I must mention. If there is one State which took first cognizance of the linguistic minorities and adopted a reasonable attitude towards them, it was this State. But even here something happened but happily it lasted only for some time. By one stroke of the pen, Tamil was made the official language of this State and in an amendment to the Service Rules, it was stated that unless a person had an adequate knowledge of Tamil, he would not be taken into service. As I said, unfortunately such a provision was in existence, though for a time. Unfortunately this was in existence for some time and it had caused a good deal of handicap to those whose mother-tongue was other than Tamil or who had only a little knowledge of Tamil. When this was brought to the notice of the Government, they took notice of the whole thing and the Hon. the Finance Minister who is not now here took action in the matter and dealt with it in a very very sympathetic way.

Hon. Members are aware this question was brought to the notice of the Zonal Council consisting of the four Southern States and we pointed out that there are bound to be linguistic minorities in each State, some Malayalees in the State of Madras as there are bound to be some Tamils in the State of Kerala, Mysore or Andhra and so on. Particularly in the City of Bangalore there are quite a number of people who are considered linguistic minorities. On the numerous representations made to the Council at its last meeting which was held at Ootacamund the Zonal Council came to certain unanimous decisions and these were communicated to the States. The Hon. the Home Minister of the Government of India appreciated the stand taken by all the Ministers of the Southern States and suggested that the decisions arrived at should be a model for the rest of India. Based on the decisions of that Zonal Council meeting the Government of Madras have issued a memorandum, dated the 11th August 1960. A copy of it also was placed on the table of the House. Particularly our Hon. Minister for Education and the other Ministers of other States have endorsed those decisions.

Coming to the resolution I have given notice of, I think it would not always be proper to be going on making representations through members on the floor of the House and of outside for grant of educational facilities and representation in services. If this is overdone, the response would be the reverse of what is expected. Therefore in keeping with the policy of the Government of Madras, I think it would be better to have an advisory committee to advise the Government in such matters. This will give an opportunity to the people affected to put forth their case and for the Hon. Minister to hear what exactly the matter is. In the committee they can discuss what the problem is. If therefore a committee as suggested by me is appointed it will go a long way in solving the problems of the minorities. I know I can anticipate the Hon. the Leader of the House if he is going to reply to this debate how he will reply to

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me. He might say : 'already there is a committee consisting of the four Ministers of the different States and why do you want another committee ?' My difficulty is this, Mr. Chairman. The other linguistic minorities may expect to get reciprocal arrangements, for instance in the case of the Kannadigas, the Telugus, the Tamils and the Malayalees. Kerala might say, whatever treatment you mete out to Malayalees in your State the same treatment we will mete out to Tamils in our State''. But the difficulty of about five lakhs of people whose mother-tongue is Urdu cannot be dealt with on that basis. There is no other neighbouring State to which they could go for educational facilities or for purposes of representation in the services. Therefore so far as we are concerned the position is difficult and different. Even though the Hon. Minister might be willing to look into the problem unless and until he knows what the problem is he cannot be in a position to help them. Therefore an advisory committee is very necessary.

Coming to the memorandum, I concede the decisions arrived at are fair in many cases. So far as educational facilities of Muslims whose mother-tongue is Urdu, are concerned, many amendments have been made. But there are one or two factors which I wish to bring to the notice of the Government. Even now I am told that boys have to get 40 marks to get a pass in Tamil. This will be naturally difficult for boys with Urdu as the mother-tongue. I do not know why they should insist on this 40 per cent. Though a small matter it affects students with Urdu as their mother-tongue. Then, another thing is, I am sure Tamil will ultimately be the official language of the State. I may not be here then. What is to happen to those who are classified as non-Tamil (?). That question has been asked by the Centre. Such people may have to appear for competitive examinations. In what language would they be asked to answer their papers in the competitive examinations. Some concession is shown in the memorandum. They say that they would be allowed to write in English. But with the enthusiasm shown by some here and outside it is doubtful whether that facility would be available for them to answer in the examination. That is another big problem. The Centre might suggest, why not have Hindi. But whatever that is, I feel there is a sort of check or ban imposed on the opening of English medium schools, even in the case of schools which have good tradition and good history. I know also that it is parents whose mother-tongue is Tamil that want to send their children to English medium schools. It is much more so now than it was either during my time or even during your time, Mr. Chairman. The fact is the middle class people and the upper class people want to send their children to English medium schools. As I have said on a previous occasion when it is time for these schools to open after holidays, it is a pathetic sight to see how the parents of children who have had education in the English medium suffer for admission. They have to beg of the Headmasters for a seat. I do not say anything against the Headmasters. Their position is unenviable. In addition to what they have already done to the linguistic minorities, I feel they should open more schools with English medium. Otherwise the very concession they have given in the memorandum that the candidates can answer in English in competitive examinations would be defeated. I do not say it should be done immediately. I could only appeal to Government to examine this question and open more English medium

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schools in the interest of the State as a whole. The second point is that, as far as we are concerned, our mother-tongue is Urdu. Except in the two or three or four high schools or the elementary schools provided by the Corporation of Madras, there is no provision for the teaching of Urdu in other schools. The hon. Member Sri Srinivasavaradan is not here now. The Hindu High School is very famous. Once there was the Muslims being taken in that school. To-day if a Muslim boy, whose mother-tongue is Urdu, wants to join that school, and he wants to have Urdu as the first language and Tamil as second language, he is denied admission for the reason that there is no provision for an Urdu teacher in that school. The argument will be, "After all the boys are a few in number; we cannot have the luxury of having an Urdu teacher; in terms of finance, it is very much". My child, if he wants to learn Urdu and Tamil or Urdu and Hindi, is denied admission in the school. These are the difficulties which we have to bring to the notice of the Ministers. As far as the issue is concerned, it is two-fold. One is, educational facilities and the other is representation in Government service. Sir, I may bring to the notice of the Government certain disabilities in the matter of representation in service, but more than representation in service, educational facilities are very important. Nowadays, the time has come when people look to do something for their own children in the form of taking up some business, some trade or other, rather than depend on Government service. In fact, Sir, there is not much charm in Government service, for reasons which are obvious. After saying this, still I maintain that we should also be represented in service. No doubt at one stage, there was a ban, but now the Government have made necessary amendments in their rules. Any person, whether he is a Malayali or a Muslim knowing Urdu, is not barred from applying for any post in the service. The only thing insisted upon is a certain amount of knowledge of Tamil. There is nothing wrong in this. I am one with it. What is sought to be insisted upon is that the candidate should possess a certain amount of knowledge of Tamil or he should acquire that knowledge within a stipulated time. His confirmation in his post is dependent on his possessing that knowledge. Till then he will not be made permanent and will be on probation. So far so good. I have no cause to complain against this. But in actuality it happens differently. Even the advertisement by the Government of Madras in the Press always says that sufficient knowledge of Tamil is necessary. On the face of it it implies that those who on that day have not got sufficient knowledge of Tamil are debarred from applying. Recently there was an advertisement calling for 250 doctors in the service of the Government of Madras. Why was it not stipulated therein that an adequate knowledge of Tamil was necessary? Because if it was stipulated, it might debar non-Tamilians from applying. But luckily there was a sort of another insertion down below saying that in case there are still vacancies not being filled up, others with mother-tongue other than Tamil would also be considered. Sir, these are some of the difficulties. The Government are sincere and perfect. But while working out their decisions, difficulty comes in. In arriving at the decisions of the Government, it is quite possible that certain difficulties arise. We cannot always be bringing them to the notice of the Government and putting questions on the floor of this House. We do not want also to go

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outside and carry on an agitation. We are really happy to note that the Madras Government are sympathetic to this problem. They are helpful. Therefore it stands to reason that they constitute a committee they may have whomsoever they like on the committee—so that it might meet once in a quarter or six months, and look into the difficulties felt by the various minorities. Surely I would say that the Madras Government, having so many things to their credit—not that I am trying to influence the Hon. Minister in the concluding remarks—would do well to have a committee of the type I have suggested. The other States will say, 'Madras has appointed a committee for considering the matters pertaining to linguistic minorities'. The additional reason for constituting this committee is that the Ministers will be on that committee which is for the entire southern zone. The Government of Madras should know what the problems are. The Government might say that they know the problems better. In fact, the Leader of the House said the other day, 'You have to say things thus; then only the Government of India will listen'. I do not exactly remember the words he said, but this is the purport of what he said. Unless and until the Government are able to know what the problems are, they will not be able to help much. As far as we Muslims are concerned—a small minority whose mother tongue is Urdu—our problem is different. The minority may try to bring to the notice of the Government their difficulties. Whether the recommendations are accepted or not is a different question. At least they will have the satisfaction that they have done their job. Thank, you Sir.

* **SRI ABDUL HAMEED KHAN:** Sir, I support the resolution. I was not prepared to speak on this resolution and expected that some hon. Friend would second it. I want to say a few words on this resolution.

My friend who has just moved this resolution has dealt with the subject at length. So far as I can say, he has brought out all the points that are necessary. Much has been said about it. Of course, if a resolution like this is moved and seconded, it should not be assumed that the Mover or those who are supporting this resolution have no confidence in the Government of Madras. They know that the present Government of Madras have been endeavouring their utmost to help all people irrespective of caste, creed or colour. One may ask, 'In view of this, where is the need for this resolution?' As the mover of the resolution had said, even the best of people, with the best of intentions are likely to forget certain things, and it is therefore necessary that a community or a people—linguistic minorities—now in this State, may have now and then to bring to the notice of the powers that be the difficulties that they are experiencing in the matter of education and representation in service. It was some years ago, when Rajaji was the Chief Minister, a similar resolution was given notice of by me, and it was considered. Before it could be taken up for consideration, the Assembly came to an end and we dispersed. Otherwise I am sure that at that time a committee would have been constituted. It could have been an advisory committee. That would be taking note, from time to time, of the disabilities which are experienced by these minorities. It may be said, Sir, that it is not the minorities alone but even other people belonging to other minority groups also have some difficulties. It will not be possible for the Government to constitute committees

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for each section of the people. There are sub-communities, sub-castes, and other categories of citizens in this State. If Government are to take into consideration the representation of only the minorities as if they are the only people who have got difficulties and are suffering from handicaps, the Government of course might ask, 'You call upon us to take care of you; what about other minorities; there are many castes; what about them; committees will have to be appointed for all these people also; then there will be any number of such committees!' But all the same there is a special feature with regard to this particular aspect of the question, namely, that all over the world the majority community, when they govern, do consider the rights and privileges of minorities to some extent. Of course, as I have said in the beginning, so far as the Chief Minister is concerned, and the other friends in the Ministry are concerned, they are doing their best. After all, their hands are so full. It is just likely that they may not be aware of the very specific difficulties experienced by the minorities whether they are with reference to the language or representation in service or other difficulties that come up before the Government from time to time. In view of that, the Government would be well advised to have a sort of *Ad hoc* committee—it need not necessarily be a standing committee as it were so that that committee can be consulted by the Government particularly when problems of that kind come up before them. We have advisory committees for many other subjects—Transport for instance—which are consulted from time to time and this will be one such committee. It should not be assumed that the mover of this resolution or those who support it have no confidence in the Government. On the other hand, it is our wish to strengthen the hands of the Government to do justice to the people who live in this State. That being the case, I believe the Government will accept the resolution. I have known the Hon. Minister for Finance for a long time. I have also noticed that he is not only anxious to help the minorities but has made it very clear in the speeches he has made in this House that he has every sympathy for them and their rights. He has also given proof of his anxiety to help the minorities. He told me that the Government of India had taken up this question and were doing their best in the matter. Our great leader Mr. Nehru has given the lead in the matter and is giving proper directions to the Governments in the States in order that they might not neglect the interests of minorities, linguistic or religious. The Government is intended for the welfare of the people as a whole. So far as our State is concerned, the Chief Minister and other Ministers, particularly our Finance Minister, are anxious to do their best for the linguistic minorities, who are greatly handicapped by not knowing the language of the State. Having formed linguistic States, it stands to reason that the language of the State should be the language of administration. But some of us whose mother-tongue is not Tamil are having a very great handicap. Our children have of course taken up the study of Tamil and may come to learn it and other languages in ten or fifteen years. Until we reach that stage, I am sure the Government of Madras, already though sympathetic, will agree to have such a committee and consult the minorities from time to time as regards their requirements. With these few words, I will conclude.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, I rise to support the resolution. It is modest. It only recommends to the Government that an advisory committee be appointed. It will

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only advise the Government on any matter brought before it as regards the rights of the linguistic minorities. Advisory committees have been appointed on many other things. Similarly, in respect of this matter, an advisory committee may be appointed. This resolution makes only a recommendation to the Government and if they think an advisory committee will be useful, there is no difficulty in appointing one.

THE HON. SRI C. SUBRAMANIAM: Sir, this matter of linguistic minorities has been engaging the attention of the Government of Madras for some time. To-day if we have a look at the various incidents that have occurred throughout India, we will find that linguistic fanaticism has played a greater part in those things than any other emotional factors. Therefore, it was always the policy of the Madras Government to see that there were no justifiable grievances, linguistic or religious, among the people. The difficulty has always been that while one State Government pursues a certain policy, the State Governments nearby pursue a different policy. That creates difficulties. For example, if we treat the linguistic minorities in our State in a particular way and provide for them certain safeguards in our State and if in the Kerala State, the Tamil minority is given a completely different treatment altogether, naturally Tamilians here would feel why, when Tamilians are not getting fair treatment in Kerala, we should be so generous. It can happen in the same way in Andhra and Mysore also. That is why the Madras Government thought that it might be necessary to evolve an All-India pattern of guarantees and safeguards for linguistic minorities for the purpose of solving this problem of linguistic minorities. Of course, to attempt to arrive at a common formula for the whole of India may not be immediately feasible. Therefore we confined ourselves to the four States comprised in the Southern Zone, namely, Andhra, Mysore, Madras and Kerala. We prepared a paper laying down the various problems and then placed it before the Zonal Council for its consideration. The Zonal Council appointed a special committee consisting of representatives of all the four States. I was the convenor of that committee. We met and discussed item by item and ultimately we arrived at agreed conclusions on all the matters. That is the most important thing about the whole matter. We arrived at unanimous and agreed decisions on all the problems placed before the committee. These decisions of the committee were placed before the Zonal Council. With slight modifications the report of the special committee was adopted by the Zonal Council. The copy of the report as adopted by the Zonal Committee has been placed on the table of the House. I am sure hon. Members would have had the advantage of going through it.

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It will be seen from the report that every item has been considered such as educational facilities, representation of linguistic minorities in the services, etc. The first item considered was with reference to the provision of facilities for instruction of linguistic minorities in the medium of the mother-tongue in the primary stage of education, and proper facilities and adequate is entitled to receive education through its mother-tongue at the primary stage of education, and proper facilities and adequate facilities should be made available for this purpose in all the four

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States. We have also laid down on what basis this adequacy should be satisfied. Then we have considered the question of study of language in the secondary stage of education and the provisions that should be made for the study of the mother-tongue and also whether the medium itself should be the mother-tongue of the linguistic minority. These aspects have been considered and reasonable provisions have been made with the result that the linguistic minorities need not suffer from any disadvantage. The next item considered by the committee was the provision of facilities for linguistic minorities for instruction with the mother-tongue as the medium in the secondary stage of education. This was considered as a separate subject and wherever there was a minimum strength—the minimum strength has been defined there—we have provided for instruction through the mother-tongue. The provision of facilities for instruction of linguistic minority pupils with English as the medium in the secondary stage of education was also considered and we have laid down that they would be entitled to join English medium schools. Then affiliation of schools and colleges using minority languages to bodies outside the State was considered. There was a suggestion that if the medium of instruction in any particular school or college is not the regional language or is not the Union language or English, the school or college should be affiliated to that State where the medium of instruction is the general medium of instruction. After a good deal of consideration we unanimously decided that this was likely to lead to difficulties. Therefore we dropped the proposal. Then the use of the minority languages for official purposes was also considered by the committee. We have laid down where the minorities would be entitled to use their own language for official purposes, etc., under what circumstances the notifications and publications would be in that language and so on.

The most important thing is the safeguards provided for the linguistic minorities in the matter of recruitment to public services of the State. I know this has led to a good deal of bitterness in the minds of certain linguistic minorities. I am not speaking about Madras alone in this regard. Even in Madras there might have been certain amount of disappointment that they did not get sufficient representation. Even taking the All-India context I would confess that the state of affairs of the linguistic minorities is not quite satisfactory. No doubt liberal provisions are made sometimes for the purpose of safeguarding the interests of the minorities but in the implementation of these safeguards there has been good deal of unfairness, or if I may say so, a good deal of neglect, if it is not unfairness. Somehow or other it was found that the linguistic minorities were not getting proper representation in the services. This is one of the matters to which our Prime Minister has been attaching particular importance, and great importance. If we are to have a stable Government it is not only necessary to carry the majority with us, even the minority should have a sense of satisfaction and a feeling that the administration is just to them. It is no good saying: 'I have got the majority on my side and it is only the minority which is grumbling'. If the minority happens to be a linguistic minority or a religious minority and if there should be justification for their grumbling, then it only shows that the Government are not functioning properly. They are not functioning in a fair and just manner. Therefore we have looked into that

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matter and we have provided sufficient and adequate safeguards for linguistic minorities in the matter of recruitment. More than providing safeguards on paper, it is very important to see whether they are implemented, and the implementation part of it cannot be, I do realise, improved by passing any number of resolutions or appointing any number of committees. These can be implemented in a fair manner by the sense of justice the Governments have with reference to these problems, and also with reference to the Public Service Commission which is the ultimate authority for recruitment of public servants in each State. We do realise the difficulties involved in this task. However, I am happy that the various principles laid down in the report have been accepted. In the working of these principles we can find out whether there has been sufficient representation for the various linguistic minorities in the States.

Then we have considered the question as to which persons would be eligible for these safeguards particularly with reference to the constitutional provision that no person should be discriminated against simply on the basis of residence. In this connection also we have arrived at a formula which has been accepted by all the States concerned.

We have considered also other things such as 'adequate knowledge of the regional language' or 'the official language of the State'. We have considered whether the person concerned should learn it even at the very beginning of his service or it would be sufficient if he gains a sufficient knowledge of the regional language later on, that is, after recruitment and what should be the standard attained by those persons. In addition to the question of knowledge of regional language, we have also considered the medium of examination, for any public examination held by the Public Service Commission, whether any relaxations have to be made and if so the conditions for such relaxations. Sir, this is one of the most comprehensive reports ever attempted with reference to the minority question and the things connected with that. The recommendations made have been fully accepted by the concerned States. The question is how to implement these recommendations.

Sir, the idea of forming a committee by the Government at the State level might be attractive enough. But my own view is that the provisions made in the report for the purpose of looking into the grievances of the various linguistic minorities are the best under the circumstances. We have suggested that it should be a zonal committee consisting of the representatives of the four States concerned, who should be looking into the various complaints which might come in in respect of the safeguards provided here and also complaints with reference to the linguistic minorities. It has also been provided as to who should be the convenor. We have got a rotating system of Vice-chairmanship in the Zonal Council. Each Chief Minister gets a chance of Vice-chairmanship. Because there are four States, each State Minister will get a chance once in four years. The Vice-Chairman of the year would be the convenor of this committee. We have also made provision that the Commissioner of Linguistic Minorities would be represented in this committee. This is a mass provision with reference to the actual safeguards and also the implementation thereof. There is the committee to see that there is nothing wrong in carrying out the various safeguards

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provided. If anything wrong happens in the implementation of the safeguards, there is a committee at the highest level possible which would look into the whole aspect and suggest remedies for the purpose of safeguarding the interests of the minorities. Therefore, I respectfully submit that having undertaken this task and having had a set-up for the purpose of looking into the interests of the minorities, no purpose would be served now by bringing in a new body altogether—whether it be advisory or with any other function. My suggestion to the House would be, 'Let us work this for one or two years and after that review the whole thing, and then, if there are any shortcomings, perhaps we may find out what alternative arrangements should be made'. The question whether alternative safeguards should be provided, can be considered after watching the working of the present arrangement for one or two years. My own view is that this is not a subject with reference to the Southern Zone alone. It should be an All-India pattern for safeguarding all linguistic minorities. The various incidents which have recently occurred in Assam and in the various other States have been mainly because of these grievances of the linguistic minorities. Linguistic minorities ultimately lead to religious minorities. Therefore, it is important that if we are to have a stable and peaceful administration in the country, we should have these safeguards provided for the linguistic minorities throughout India, particularly when we have laid down that we should have linguistic States, whatever might be the border adjustments. Unless we provide for emigration of persons speaking a different language from one State to another, in a uni-lingual State, it is impossible to readjust the border in any way. When we say that it is a completely unilingual State, because we are making one particular language—the language spoken by the majority in the State—naturally the tendency would be for that majority group to have dominance of that regional language. This leads to the interests of the linguistic minorities being affected to a certain extent whether we like it or not. Therefore, Sir, it becomes absolutely necessary today, if we have got to avoid these agitations for readjustment of the borders, to think of the linguistic minorities. Why does this question arise at all? Because people speaking one language feel a little bit insecure in another linguistic set-up altogether. That sense of insecurity and that feeling that they are not likely to get justice in the particular set-up should be completely removed. My own view is that this sincere and honest attempt to remove all these difficulties is there. My appeal to Mr. Raza Khan will be that I do realise his earnestness to do away with this difficulty in an effective way. I can assure him that it is the policy and it is the intention of the Government of Madras also that it should be possible for them not only to do justice but also to make the linguistic minorities feel that they are getting justice. It is a little more important also. We do realise this important problem, and we are trying to tackle it, in the best manner possible. In these circumstances, my submission to this House and to the hon. Member who moved the resolution would be, having expressed his point of view, to leave it to the Government to work the provisions of this report in the best manner possible and perhaps, if it becomes necessary, place before the House a review of the various steps taken under this arrangement. If necessary we can have a short discussion on it. Therefore, I would respectfully submit that at this stage a committee of this sort may not be necessary. I would, therefore, request, the hon. Mover of the Resolution not to press his resolution.

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* SRI MOHAMED RAZA KHAN: Sir, I am very thankful particularly to my esteemed Friend Sri Balasubramanya Ayyar for the support which he gave, and also to my esteemed Friend Mr. Abdul Hameed Khan. I do not like to go into the subject again. I have to thank the Finance Minister for the very able manner in which he has expatiated on this subject. Far from it. He should thank me for I have provided him an opportunity to make a speech of the like he did. Honestly I feel that it is not a matter only for the Southern States, but it is matter for the whole of India. Members will be aware that it is always a pleasure to hear the reply of the Finance Minister. On a previous occasion on a similar subject, when this question was being considered by the Government he did say certain things about linguistic minorities and religious minorities. The Muslim Educational Association of Southern India, who have long standing of sixty years of service for Muslims were so happy to read his speech, that they asked me whether it could be published. I told them, 'you publish what the Finance Minister said, and not what I said'. I know, as a Member of the Opposition, what is important is not what I state, but what I make the Hon. Minister say. I am saying this, Sir, that every Muslims particularly Muslims with Urdu as mother-tongue or Muslims as a religious minority, were happy about his speech then. We did not stop with that. Copies of his speech were circulated to the whole of India and people really felt that in Madras they had a way of getting things done, and they were also proud of it. Sir, I do not like to say anything more. I feel great pleasure in withdrawing my resolution, after hearing the speech of the Finance Minister. I say in conclusion that the statement made by the Finance Minister is a historic one. It does not confine itself to our State only but it is an example for other States in India to follow. This is one way of saying how things should be adjusted so that there may not be any ill-feeling anywhere. Though it is not good to speak on this subject too often when the assurance has been given by the Finance Minister, I beg leave of the House to permit me to withdraw my resolution.

The Resolution was, by leave, withdrawn.

(2) ASSIGNMENT OF LANDS TO HARIJANS.

SRI M. ETHIRAJALU: Sir, I move the resolution standing in my name, namely—

'This Council recommends to the Government that emergency provisions of the Land Acquisition Act should be invoked for purposes of assignment of lands to Harijans'.

VIDWAN T. MUTHUKANNAPPAN: I second the resolution, Sir.

MR. CHAIRMAN: Resolution moved—

'This Council recommends to the Government that emergency provisions of the Land Acquisition Act should be invoked for purposes of assignment of lands to Harijans'.

SRI M. ETHIRAJALU: சார், இந்தத் தீர்மானம் சென்ற ஆகஸ்ட் மாதத்தில் இதே சபையில் விவாதிக்கப்பட்டது. அப்போது காலம் இல்லாத காரணத்தால் மீண்டும் கொண்டுவரப் பட்டிருக்கிறது என்பதை நான் முதலில் தெரிவித்துக் கொள்ளு

[Sri M. Ethirajalu]

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கிறேன். இந்தத் தீர்மானமானது இந்த ராஜ்யத்திலிருக்கக்கூடிய தாழ்த்தப்பட்ட மக்களுக்கு மட்டுமல்ல, இந்தியாவிலுள்ள தாழ்த்தப்பட்ட மக்களுக்கும் உதவிகரமாயிருக்கும். தாழ்த்தப்பட்ட மக்களுக்கு ஏற்பட்டிருக்கும் முதல் பிரச்சனையான குடியிருப்பு வசதியைப்பற்றி நாம் கேட்கிற கோரிக்கைபடி சர்க்கார் ஏற்று கொண்டு விட்டால் நாம் போடுகிற திட்டம் தாழ்த்தப்பட்ட மக்களுக்கு ஒரு குறித்த காலத்தில் முடிந்துவிடும் என்பதுதான் எனது நம்பிக்கை. ஆகவேதான் தாழ்த்தப்பட்ட மக்களின் முன்னேற்றத்திற்கு சர்க்கார் எடுத்துக் கொண்டிருக்கிற எல்லா முயற்சிகளையும்விட அவர்களுக்குக் குடியிருப்பு வசதிதான் மிக முக்கியமானது என்று இந்த சபையிலே மட்டுமல்ல சீழ் சபையிலே கூட மெம்பர்கள் அடிக்கடி வற்புறுத்திவருவது நம் எல்லோருக்கும் நன்றாகத் தெரியும். மகாத்மா காந்திஜி அவர்கள் தாழ்த்தப்பட்ட மக்களின் கல்வி, அரசியல், பொருளாதாரம், குடியிருப்பு போன்ற வசதிகள் மிகமிக முக்கியம் என்று வற்புறுத்தியதின் காரணமாகத்தான் இந்த அரசாங்கம் கோடிக்கணக்கான ரூபாய்களை செலவழிக்கிறது. அவர்களுக்கான பல்வேறு சட்டங்களை நிறைவேற்றியிருப்பதை நாம் எல்லோரும் அறிவோம். குறிப்பாக எடுத்துக்கொண்டு பார்ப்போமானால் நீண்டாமை ஒழிப்புச் சட்டத்தையும், ஆலயப்பிரவேசம் முதலிய சட்டங்களையும் அவர்கள் முன்னேற்றத்திற்குத்தான் நாம் கொண்டு வந்திருக்கிறோம். அதேபோல இப்போது கல்வி சம்பந்தப்பட்ட வரையில் கட்டாய இலவசக் கல்வி கொண்டு வரப்படும் என்று கல்வி மந்திரி அவர்கள் அடிக்கடி சொல்வது முதன்முதல் பயன்படப்போவது இந்த ஹரிஜன மக்களுக்குத்தான் என்று நாம் சொல்லத் தேவையில்லை. அதே நேரத்தில் கல்வியை அவர்களுக்கு கொடுப்பதற்கு வேண்டிய வசதிகள் எல்லாம் நாம் செய்தாலும், பொருளாதார வசதியும் மற்ற வசதிகளும் செய்யாலும், அவர்கள் ஒரு நிரந்தரமான இடத்தில் குடியிருந்துதான் இந்த வசதிகளைப் பெற்று நல்ல முறையில் முன்னேற முடியும். அவர்களுக்கு குடியிருப்பு வசதிகள் இல்லாவிட்டால் அவர்களுக்கு வேறு எந்தவிதமான வசதிகள் இந்த சர்க்கார் செய்துகொடுத்தாலும் அது அவ்வளவு முக்கியத்துவம் கொடுக்காது என்றுதான் சொல்ல வேண்டும். இன்றைக்கு இருக்கும் நிலையில் பார்த்தால் நம் ராஜ்யத்தில் ஏறக்குறைய 18,000 கிராமங்களிலிருந்து 20,000 கிராமங்கள் வரை இருப்பதாகச் சொல்லுகிறோம். அந்த 20,000 கிராமங்களில் தாழ்த்தப்பட்ட மக்கள் இருக்கிறார்கள் என்பதை நாம் எல்லோரும் அறிவோம். ஒவ்வொரு கிராமத்திலும் இருக்கக் கூடியவர்களும் தங்களுக்கு குடியிருப்பு வசதி வேண்டுமென்றுதான் இன்றுவரை சர்க்காரிடத்தில் கேட்டுக் கொண்டிருக்கிறார்கள். அவர்கள் கோரிக்கைகள் மந்திரியிடம் மட்டும் கொடுக்கப்படவில்லை. யார், யார் அந்தந்த பகுதிகளுக்குச் செல்கிறார்களோ அத்தனை பேர்களிடத்திலும் மனுக்கள் கொடுத்துக் கொண்டுதான் இருக்கிறார்கள். அப்படி பெரிய பிரச்சனையாக இருக்கக்கூடியது குடியிருப்பு வசதிதான். தாழ்த்தப்பட்ட மக்களின் நலனைக்

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கவனிக்கவேண்டும் என்று அரசியல் சட்டத்திலும் வற்புறுத்தப் பட்டிருக்கிறது. இப்போது அவர்களுக்குக் குடியிருப்பதற்கு சர்க்கார் ஆவன செய்யவில்லையா என்று கேட்கலாம். செய்கிறார்கள். இந்தக் குடியிருப்பு வசதியைப் பொறுத்த மட்டில் ஆமை வேகத்தில்தான் அது போய்க்கொண்டிருக்கிறது என்பதை நான் சொல்லாமல் இருக்க முடியவில்லை. தென்னாற்காடு ஜில்லாவில் எடுத்துக்கொண்டால் குறிப்பாக ஏறக்குறைய 2,000 கிராமங்கள் இருக்கின்றன. அங்கு இருக்கக் கூடிய மக்கள் இன்றைக்கும் மனுச்செய்துகொண்டிதான் இருக்கிறார்கள். மனைகள் கொடுத்து முடிந்த பாடில்லே. இன்றுவரை எவ்வளவு நிலங்கள் ஆர்ஜிதம் செய்து கொடுக்கப்பட்டிருக்கின்றன என்று பார்த்தால் அதை புள்ளிவிவரங்கள் நன்றாகக் காட்டும். ஹரிஜனங்கள் காலமாகிவிட்டால் அவர்களைத் தகனம் செய்யக்கூட இடம் இல்லாத நிலைமையில் இன்றைக்குப் பல கஷ்டங்கள் இருக்கின்றன. இந்தக் கஷ்டங்களையெல்லாம் அவர்கள் எல்லோரிடத்திலும் சொல்லிக்கொண்டுதான் இருக்கிறார்கள். அதற்கு ஆவன செய்யவேண்டுமென்று சர்க்கார் முயற்சி எடுத்துக்கொண்டுதான் இருக்கிறார்கள். ஆனால் முடிந்த பாடில்லே. காரணம் சட்டம் இடந்தரவில்லை. இப்போது இருக்கிற சட்டப்படி பார்த்தால் பதினேரு மாதங்களுக்குக் குறைவில்லாமல் நிலத்தை ஆர்ஜிதம் செய்ய முடியாது. ஆனால் சட்டப்படி ஆர்ஜிதம் செய்து கொடுக்க முடியாத நிலை ஏற்பட்டால், யார் அந்த நிலத்துக்குச் சொந்தக்காரரோ, அவர் மறுதலித்தால் இரண்டு வருஷங்களுக்குக் குறையாமல் ஆகிவிடும். ஆனால் அந்த நில சொந்தக்காரர் சம்மதித்து “நான் நிலத்தை கொடுக்கிறேன்” என்று முன் வந்தால் அங்கு இருக்கின்ற காலதாமதம், ஒவ்வொரு உத்தியோகஸ்தருக்கும் இருக்கிற நேரத்தையும் பார்க்கும்போது, எப்படியாயினும் ஒன்றரை வருஷத்துக்கு குறையாமல் ஆகும். அப்படித்தான் இன்றுவரை நடந்து வருகிறது என்பதை அரசாங்கத்தின் கவனத்திற்குக் கொண்டு வருகிறேன். இப்படி ஒன்றரை வருஷம், இரண்டு வருஷம் ஆவது மட்டிலும் அல்ல இன்னும் கேட்பப் போனால், என் ஜில்லாவில்—நான் சொல்லுவேன் குறிப்பாக—20 வருஷங்கள் கூட ஆகியிருக்கிறது என்பதை நிரூபிக்க முடியும் என்றால். நிரூபிக்க முடியும் என்று சொல்வதற்கு மன்னிக்க வேண்டும். எத்தனையோ காரணங்களால், 1940-ம் வருஷத்தில் கேட்டவர்களுக்கு 1960-ம் வருஷத்தில்தான் கொடுக்கப்பட்டிருக்கிறது. ஏன் இந்த காலதாமதம் ஏற்படுகிறது? நாம் எத்தனையோ சட்டங்களைச் செய்து கொண்டு வருகிறோம். தாழ்த்தப்பட்ட மக்கள் சமூக, அரசியல், பொருளாதார நிலையில் முன்னேறுவதற்கு அவர்களுக்கு எல்லா உதவிகளையும் செய்து வரும்போது குடியிருப்பு பிரச்சனையை தீர்த்துக்கட்ட ஏன் தனிச் சட்டம் செய்யக்கூடாது? இந்த மூன்றாவது ஐந்தாண்டுத் திட்டத்தில் கூட ஏறக்குறைய 12 கோடி ரூபாய்க்கு மேல் செலவு செய்ய திட்டமிட்டிருக்கிறபோது, ஏன் அவர்களுக்கு உடனடியாக மற்றைய உதவிகளைவிட மிக முக்கியமான குடியிருப்பு வசதியை சிக்கிரம் அமுல் நடத்தக் கூடாது என்று அரசாங்கத்தைச்

[Sri M. Ethirajalu]

[30th January 1961]

கேட்டுக்கொள்ளாமலிருக்க முடியவில்லை. ஏற்கெனவே நான் சொன்னபடி இப்போதிருக்கிற 1894 நில ஆர்ஜித சட்டப்படி இன்றைக்கு கலெக்டர்களுக்கு செக்ஷன் 17 (1)-ல் 'ஸ்பெஷல் பவர்' கொடுக்கப்பட்டிருக்கிறது. ஆனால் அந்த ஸ்பெஷல் பவரிலே ஒன்று போட்டிருக்கிறார்கள். நோட்டிபிகேஷன் ஆன பிறகு அந்த செக்ஷன் 11-ல் அவார்டு பாஸ் பண்ணாமல், நிலத்தை சர்க்கார் உத்தரவின் பேரில்தான் ஆர்ஜிதம் செய்ய வேண்டுமென்று இருக்கிறது. இன்றைக்கு ஆர்ஜிதம் செய்ய கலெக்டர் சர்க்காரிடத்தில் கேட்டுத்தான் அந்த ஸ்பெஷல் பவரை உபயோகிக்க முடியும். சர்க்காரை கேட்காமல் கலெக்டர் ஒன்றும் செய்ய முடியாது. சர்க்காரைக் கேட்டு உத்தரவு வருவதற்குள் அதிக காலதாமதம் ஆகிறது. கலெக்டருக்கு நிலத்தை வாங்கிக் கொடுக்க வேண்டும் என்று இருந்தால், சர்க்காரிடம் கேட்காமல் அதைச் செய்யக் கூடாது என்று கேட்டுக்கொள்ளுகிறேன். அந்த மாதிரி சட்டத்தைத் திருத்தினால்தான் நல்லதாக இருக்கும் என்று நினைக்கிறேன். அப்படி அந்தச் சட்டத்தை திருத்தா விட்டாலும் கூட மற்றொரு ஆக்ட்— Madras Requisitioning and Acquisition of Immovable property Act, 1956 ஒன்று அமுலில் இருக்கிறது. அந்த ஆக்டின்படி விதைப் பண்ணை வைக்க வேண்டிய காரியங்களுக்காக எந்த நிலத்தையும் நில சொந்தக்காரர் உத்திரவு இல்லாமலே எடுத்துக்கொள்ளலாம். அப்படி எடுத்துக் கொள்ளும் நிலத்தை நிரந்தரமாக்கிக்கொள்ள சட்டத்தில் இடமிருக்கிறது. அதே சட்டத்தை, ஹரிஜனங்களுக்கு குடியிருப்பு நிலம் வாங்கிக் கொடுத்தாக வேண்டும் என்று நினைக்கிற நேரத்தில், ஏன் அமுல் நடத்தக் கூடாது என்று கேட்டுக்கொள்ளுகிறேன். அப்படி அமுல் நடத்தினால்தான், இன்றைக்கு ஏறக்குறைய 20 ஆயிரம் கிராமங்களில் இருக்கக்கூடிய எல்லா ஹரிஜனங்களுக்கும் வாழ்க்கை வசதியைச் செய்ய முடியும். குடியிருப்பு வசதியையும் சீக்கிரமே செய்து கொடுக்க முடியும். இல்லாவிட்டால், இது அவர்களை மிகவும் கஷ்டமான நிலையில் கொண்டுபோய்விடும் என்பதை அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவருகிறேன். அடுத்தபடியாக இதே நேரத்தில் மற்றொரு விஷயத்தையும் அரசாங்கம் கவனத்துக்குக் கொண்டுவர விரும்புகிறேன். சென்னை கார்ப்பொரேஷனில் Slum Clearance என்று வேலை செய்து வருகிறார்கள். வருஷத்துக்கு இரண்டு Slum எடுக்கிறார்கள். ஆனால் அந்த இரண்டு Slum Clearance வேலை அங்கே நடக்கிறதா என்றால் நடக்கவில்லை. அந்த Slum-ல் இருக்கிறவர்களை வெளியேற்ற அரசாங்கம் உத்திரவு போட்டால் கூட, அங்கே இருக்கிற கட்டிக்காரர்கள், அசிரியலில் சேர்ந்தவர்கள், வெளியேற வேண்டாம், Slum-லேயே இருக்கலாம் என்று போதனை சொல்லுகிறார்கள். அதற்கு ஆதரவு கொடுத்து வருகிறார்கள். அதன் காரணமாக Slum Clearance வேலையே நடக்க முடியவில்லை. Slum Clearance சரியாக நடக்காத காரணத்தால் 37 லட்ச ரூபாய் Slum Clearance ல் ஈடுபடுத்த முடியாமல் மத்திய சர்க்காருக்கு கார்ப்பொரேஷனால் திருப்பப்படுகிறது. இதற்கு என்ன காரணம்? இதற்கு அரசாங்கம் பரிகாரம் காணவேண்டும்.

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[Sri M. Ethirajalu]

சென்னையைப் பொறுத்தமட்டிலும் 366 கிராமங்களில் மூன்று 5 p.m. லட்சம் மக்கள் குடியிருக்கிறார்கள். அவர்கள் நல்ல வசதியோடு வாழ வழி செய்வது சர்க்கார் கடமையாகும். அதற்காக தனியே Slum Clearance போர்டு ஒன்று அமைக்க வேண்டும். அந்த போர்டில் M.L.A. -க்கள், M.L.C. -க்கள், அரசியலில் ஈடுபட்டு ஓட்டு வாங்கக்கூடியவர்கள் யாரும் இருக்கக்கூடாது. போலீஸ் கமிஷனர், கலெக்டர், அரசாங்க அலுவலகத்தில் இருக்கக்கூடிய செக்ரடரி போன்றவர்கள் இருந்து Slum Clearance வேலையை பார்க்க வேண்டும். அத்துடன் அவர்களிடம் முழு பவரையும் ஒப்படைத்து விடவேண்டும். அப்போதுதான் நிச்சயமாகச் சென்னையிலும், 366 கிராமங்களிலும் வெகு சீக்கிரத்தில் வாழ்க்கைக்கு வேண்டிய வசதியோடு வீடுகள் கட்டிக்கொடுக்க முடியும் என்று அரசாங்கத்தின் கவனத்துக்குக் கொண்டு வருவதோடு இந்த போர்டை அவசியம் நியமிக்க வேண்டும், என்று கேட்டுக்கொள்ளுகிறேன். அதோடு விட்டுமனை வாங்கிக் கொடுக்க இந்த ஆக்கடை துரிதமாகக் கொண்டுவரவேண்டுமென்று கேட்டுக்கொண்டு முடித்துக்கொள்கிறேன்.

MR. CHAIRMAN: Discussion on this non-official resolution will be continued on the next non-official day.

The House will now adjourn and meet again at 3 p.m. to-morrow.

The House then adjourned.

V.—PAPER LAID ON THE TABLE OF THE HOUSE.

* 184. Notification issued with G.O. Ms. No. 4955, Revenue, dated 3rd December 1960 under Section 1 (4) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948).

* Laid on the table of the House on 25th January 1961.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

[30th January 1961]

APPENDIX I.

[Vide answer to Starred Question No. 41 asked by Dr. A. Sreenivasan at the meeting of the Legislative Council held on 30th January 1961, page 205 supra].

Statement showing the number of animals inspected, slaughtered and certified in Madras City from January to March 1960.

	(1)	January.		February.		March.	
		Male. (2)	Female. (3)	Male. (4)	Female. (5)	Male. (6)	Female. (7)
Cattle		766	213	738	205	778	215
Buffaloes		806	496	765	488	809	516
Sheep		22,778	10,512	20,978	9,333	22,182	11,264
Goats		10,019	4,075	9,090	3,605	10,651	4,101
Pigs		476	97	339	97	384	111
Total		34,845	15,393	31,910	13,728	34,804	16,207

Grand total 146,887 animals slaughtered.

APPENDIX II.

(Vide item III on page 209 supra).

L.A. BILL No. 6 of 1961.

(As passed by the Assembly.)

A Bill to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1st April 1960.

WHEREAS it is necessary to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the services of the financial year which commenced on the 1st April 1960 ;

BE it enacted in the Twelfth Year of the Republic of India as follows :

1. *Short title.*—This Act may be called the Madras Appropriation Act, 1961.

2. *Supplementary appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April 1960.*—The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April 1960, a further sum not exceeding six crores, fifteen lakhs, sixty-two thousand and nine hundred rupees, being moneys required to meet—

(a) the supplementary grants made by the Madras Legislative Assembly for that period, as set forth in column (2) of the Schedule; and

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(b) the supplementary expenditure charged on the Consolidated Fund of the State for that period, as set forth in column (3) of the Schedule.

THE SCHEDULE.

Demand number, service and purposes.		Sums not exceeding.		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	
	RS.	RS.	RS.	
IV Forest Department.	40,000	200		40,200
IX Head of State, Ministers and Headquarters' Staff.	2,38,500			2,38,500
XII District Administration and Miscellaneous.	16,92,500	3,200		16,95,700
XVI Education	1,20,77,900	..		1,20,77,900
XVII Medical	6,60,800	..		6,60,800
XVIII Public Health	5,13,200	..		5,13,200
XIX Agriculture and Fisheries.	4,76,000	..		4,76,000
XX Animal Husbandry	2,49,400	..		2,49,400
XXI Co-operation	1,29,300	..		1,29,300
XXII Industries and Cinchona.	5,93,300	..		5,93,300
XXIII Khadi	100	..		100
XXIV Harijan Uplift	13,55,300	..		13,55,300
XXV Labour including Factories.	10,000	..		10,000
XXVI Civil Works—Works	1,10,500	..		1,10,500
XXVII Civil Works—Establishment and Tools and Plant.	3,43,300	..		3,43,300
XXVIII Civil Works—Grants-in-aid.	15,00,200	..		15,00,200
XXIX Famine	21,89,800	..		21,89,800
XXXI Stationery and Printing.	20,02,800	..		20,02,800
XXXII Miscellaneous	500	..		500
XXXIII Community Development Projects, etc.	63,800	..		63,800
XXXIV Road Transport Schemes.	16,45,300	2,60,000		19,05,300
XXXV Compensation to Zamindars.	34,75,000	..		34,75,000
XXXVII Capital Outlay on Irrigation.	1,43,52,900	..		1,43,52,900
XXXVIII Capital Outlay on Public Health.	1,00,100	..		1,00,100
XL Capital Outlay on Industrial Development.	89,44,600	..		89,44,600

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Sums not exceeding

Demand number, service and
proposes.Voted by the
Legislative
Assembly.Charged
on the
Consolidated
Fund of the
State.

Total.

(1)

(2)

(3)

(4)

RS.

RS.

RS.

XLI	Capital Outlay on Civil Works.	30,60,900		30,60,900
XLII	Capital Outlay on Road Transport Schemes.	30,29,500		30,29,500
XLIII	Commuted Value of Pensions.		52,700	52,700
XLIV	Capital Outlay on Schemes of Government Trading.		700	700
XLV	Loans and Advances by the State Government.	23,90,600		23,90,600
Grand total		6,12,46,100	3,16,800	6,15,62,900

I certify that this is a Money Bill.

Fort St. George, Madras, }

30th January 1961.

U. KRISHNA RAU,
Speaker,

Madras Legislative Assembly.

